

HUMAN SERVICES
TITLE 7. INDIVIDUALS WITH DISABILITIES
Subtitle 1. Department of Disabilities.

§ 7-101. Definitions.

- (a) *In general.*- In this subtitle the following words have the meanings indicated.
- (b) *Board.*- "Board" means the Interagency Disabilities Board.
- (c) *Commission.*- "Commission" means the Maryland Commission on Disabilities.
- (d) *Department.*- "Department" means the Department of Disabilities.
- (e) *Disability.*- "Disability" has the meaning stated in the federal Americans With Disabilities Act of 1990, 42 U.S.C. § 12102.
- (f) *Secretary.*- "Secretary" means the Secretary of Disabilities.
- (g) *Unit of State government.*- "Unit of State government" means a department, agency, office, commission, council, or other unit in the Executive Branch of the State government.

§ 7-104. Department established.

There is a Department of Disabilities, established as a principal department of State government.

§ 7-105. Secretary.

- (a) *Position and appointment.*
 - (1) With the advice and consent of the Senate, the Governor shall appoint the Secretary of Disabilities.
 - (2) The Secretary is the head of the Department.
- (b) *Qualifications.*- The Secretary shall:
 - (1) have extensive experience and knowledge of disability laws, legislation, and regulations, and programs for individuals with disabilities;
 - (2) at a minimum, hold a bachelor's degree; and
 - (3) be an individual with a disability or appoint a deputy secretary who is an individual with a disability.

(c) *Oath.*- Before taking office, the appointee shall take the oath required by [Article I, § 9](#) of the Maryland Constitution.

(d) *Responsibility to Governor.*

(1) The Secretary serves at the pleasure of the Governor and is responsible directly to the Governor.

(2) The Secretary shall advise the Governor on all matters assigned to the Department and is responsible for carrying out the Governor's policies on those matters.

(d) *Compensation.*- The Secretary is entitled to the compensation provided in the State budget.

§ 7-106. Administration of Department.

(a) *Operation of Department.*- The Secretary is responsible for the operation of the Department and shall establish guidelines and procedures to promote the orderly and efficient operation of the Department.

(b) *Areas of responsibility.*- The Secretary may establish, reorganize, or abolish areas of responsibility in the Department as necessary to fulfill the duties assigned to the Secretary.

§ 7-107. Deputy secretary.

(a) *Appointment.*- With the approval of the Governor, the Secretary shall appoint a deputy secretary.

(b) *Qualifications.*- The deputy secretary shall be an individual with a disability, if the Secretary is not an individual with a disability.

(c) *Term and compensation.*- The deputy secretary:

(1) serves at the pleasure of the Secretary; and

(2) is entitled to the compensation provided in the State budget.

(d) *Duties.*- The deputy secretary has the duties provided by law or delegated by the Secretary.

§ 7-108. Staff.

(a) *In general.*- In accordance with the State budget, the Secretary may employ a staff.

(b) *Appointment; removal.*- Unless otherwise provided by law, the Secretary shall appoint and remove all staff in accordance with the provisions of the [State Personnel and Pensions Article](#).

(c) *Review of personnel actions.*- The Secretary may review any personnel action taken by any unit in the Department.

§ 7-109. Legal counsel.

(a) *Attorney General as legal adviser.*- The Attorney General is the legal adviser to the Department.

(b) *Assignment of assistants.*- The Attorney General shall assign to the Department the number of assistant Attorneys General authorized by law to be assigned to the Department.

(c) *Counsel to Department.*

(1) The Attorney General shall designate one of the assistant Attorneys General assigned to the Department as counsel to the Department and may not reassign that individual without consulting with the Secretary.

(2) The counsel to the Department shall have only the following duties:

(i) to give the legal aid, advice, and counsel required by the Secretary and any other official of the Department;

(ii) to supervise the other assistant Attorneys General assigned to the Department; and

(iii) to perform for the Department the duties that the Attorney General assigns.

(2) The counsel shall perform the duties under paragraph (2) of this subsection subject to the control and supervision of the Attorney General.

§ 7-110. Regulations.

(a) *Departmental regulations.*- The Secretary shall adopt regulations for the Department and its units.

(b) *Implementation of laws within Secretary's jurisdiction.*- The Secretary may adopt regulations necessary to carry out the provisions of law that are within the jurisdiction of the Secretary.

§ 7-111, 7-112.

§ 7-113. Powers and duties of Secretary.

(a) *Budget.*- The Secretary is responsible for the budget of the Department.

(b) *Payment of money collected to General Fund.*- Except as otherwise provided by law, the Secretary shall pay all money collected by the Department under this subtitle into the General Fund of the State.

(c) *Review of regulations of other units of State government.*

(1) (i) Before publication in the Maryland Register, the Secretary shall review new or proposed changes to regulations submitted by a unit of State government that relate to the provision of resources and services to individuals with disabilities.

(ii) The regulations shall include an assessment that describes the impact of the proposed regulations on individuals with disabilities.

(2) Before implementation, the Secretary shall review new or proposed changes to policies, programs, or services submitted by a unit of State government that relate to the provision of resources and services to individuals with disabilities.

(d) *Review, coordination, and concurrence of applications for aid specific to services for individuals with disabilities.*-

(1) The Secretary shall review, coordinate, and concur with any application for federal aid, waivers, or grants that is:

(i) specific to services for individuals with disabilities; and

(ii) submitted by or through any unit of State government.

(2) Except as otherwise prohibited by law, the Secretary may apply for, receive, and use grants-in-aid, funds, or services from the federal government or any of its units, or any public or private source made available to the Department for use in carrying out the powers and duties of the Secretary or the Department.

(e) *Review, approval, or amendment of State Disabilities Plan; adoption of regulations.*

(1) The Secretary shall review the State Disabilities Plan developed by the Board in accordance with § 7-132 of this subtitle.

(2) The Secretary may approve the State Disabilities Plan or amend the Plan if the Secretary determines that the Plan developed by the Board is not in accordance with § 7-132 of this subtitle.

(3) The Secretary shall request that the Board revise the State Disabilities Plan at least once every 4 years.

(4) The Secretary shall adopt regulations to implement the State Disabilities Plan as approved or as amended in accordance with paragraph (2) of this subsection.

(f) *Annual analysis of State's progress in implementing State Disabilities Plan.*- The Secretary shall submit an annual analysis of the State's progress in implementing the State Disabilities Plan and related performance objectives to the Governor and, in accordance with § [2-1246 of the State Government Article](#), to the General Assembly on or before October 1 of each year.

(g) *Citizens' advisory bodies.*- The Secretary may create citizens' advisory bodies that the Secretary considers necessary for the effective operation of the Department.

§ 7-114. Duties of Department

(a) *Responsibility for statewide disability policies and standards.*

(1) The Department is the principal unit of State government responsible for developing, maintaining, revising, and enforcing statewide disability policies and standards throughout the units of State government.

(2) In this capacity, the Department shall:

(i) serve as the principal advisor to the Governor on the means and methods available to:

1. implement and fund support to individuals with disabilities in accordance with the State Disabilities Plan;

2. modify or consolidate support to individuals with disabilities; and

3. collaborate with federal, regional, and local units of government to enhance the effectiveness of the provision and funding of support to individuals with disabilities;

(ii) annually recommend projects to the Department of Budget and Management for inclusion in the capital budget to promote access to State-owned facilities for individuals with disabilities;

(iii) assist units of State government to identify federal, State, local, and private funds available to the State for programs and services for individuals with disabilities; and

(iv) provide technical assistance to local jurisdictions in planning and implementing collaborative strategies consistent with the State Disabilities Plan.

(b) *Administration of programs and units.*- The Department shall oversee and administer the following programs and units:

(1) constituent services and ombudsmen programs;

(2) the Assistive Technology Guaranteed Loan Program under Subtitle 6 of this title; and
(3) the Office of Personal Assistance Services, including the Attendant Care Program under Subtitle 4 of this title.

§ 7-115. Duties of other units of State government.

Unless the disclosure of information is otherwise prohibited by law, each unit of State government shall provide to the Secretary:

- (1) at the request of the Secretary, information regarding current programs and services for individuals with disabilities; and
- (2) information regarding new or proposed programs and services for individuals with disabilities.

§ 7-116. Unit plans.

(a) *Development; implementation; request for amendments.* -

(1) On or before July 1 of each year, each unit of State government shall develop a unit plan to implement the State Disabilities Plan as approved or amended by the Secretary under § 7-113(e) of this subtitle.

(2) The unit plan shall contain an implementation schedule and measurable strategic performance objectives.

(3) The Secretary may request amendments to a unit plan if the Secretary determines that the unit plan does not comply with the State Disabilities Plan.

(b) *Unit plan evaluation.* - On or before July 1 of each year, each unit of State government shall provide the Department with an evaluation of the unit's performance in accordance with the unit's plan developed under subsection (a) of this section.

(c) *Unit plan evaluation - Required information.* - The evaluation required under subsection (b) of this section shall:

(1) assess the unit's performance against the strategic performance objectives established under subsection (a)(2) of this section; and

(2) identify and measure:

(i) consumer satisfaction;

(ii) gaps in services;

(iii) numbers of individuals waiting for services; and

(iv) progress made on achieving performance objectives.

(d) *Provision of technical assistance.*- The Secretary may provide technical assistance to any unit of State government to meet the requirements of this section.

(e) *Waiver.*- The Secretary may waive the requirements of this section for any unit of State government.

PART IV. MARYLAND COMMISSION ON DISABILITIES

§ 7-119. Established.

There is a Maryland Commission on Disabilities.

§ 7-120. Membership.

(a) *Composition.*- The Commission consists of:

(1) the following members, appointed by the Governor:

(i) one individual with a physical disability;

(ii) one individual who has experienced mental illness;

(iii) two individuals with a developmental disability, including one individual with an intellectual disability;

(iv) one individual who is blind;

(v) one individual who is deaf or hard of hearing;

(vi) one parent or foster parent of a child with a disability;

(vii) four members of the general public who have disabilities;

(viii) three representatives from statewide disability advocacy organizations;

(ix) one representative from the home health care industry;

(x) one representative from a statewide organization of providers of services and support for individuals with disabilities;

(xi) one representative from the Alliance of Local Commissions on Disability; and

(xii) two representatives from the Board, one of whom shall be selected by the Secretary and one of whom shall be the Secretary of Budget and Management or the designee of the Secretary of Budget and Management;

(2) one representative from the Senate of Maryland, appointed by the President of the Senate; and

(3) one representative from the Maryland House of Delegates, appointed by the Speaker of the House.

(b) *Appointment.*- In making the appointments required under subsection (a) (1) of this section, the Governor shall appoint members from among:

(1) the geographic regions of the State; and

(2) diverse backgrounds.

(c) *Qualifications.*- A majority of the members shall be individuals with disabilities.

(d) *Tenure; vacancies.*-

(1) The term of a member is 3 years.

(2) The terms of the members are staggered as required by the terms provided for the members of the Commission on October 1, 2007.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(5) A member may not serve more than two consecutive 3-year terms.

(e) *Failure to attend meetings.*- A member who fails to attend at least 50% of the regularly scheduled meetings of the Commission during any 12-month period shall be considered to have resigned.

§ 7-121. Chair.

From among the members of the Commission, the Governor shall designate a chair for a 2-year term.

§ 7-122. Compensation; staff.

(a) *Compensation.*- A member of the Commission:

- (1) may not receive compensation as a member of the Commission; but
- (2) if the Secretary approves, is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(b) *Staff.*- The Department shall provide staff to the Commission as necessary.

§ 7-123. Duties.

Members of the Commission shall:

- (1) advise the Department in carrying out its duties;
- (2) meet at least twice a year in meetings open to the public; and
- (3) serve on one or more subcommittees established by the Secretary to provide guidance to the Department on matters affecting individuals with disabilities, including public policy, outreach, and personal assistance services.

§ 7-124. Meetings of subcommittees.

Notwithstanding any other provision of law, a subcommittee of the Commission created in accordance with § 7-123 of this subtitle shall be considered a public body under § [10-502\(h\)](#) of the [State Government Article](#).

§ 7-127. Interagency Disabilities Board - In general.

- (a) *Established.*- There is an Interagency Disabilities Board convened by the Governor.
- (b) *Purpose.*- The purpose of the Board is to develop the State Disabilities Plan.

§ 7-128. Interagency Disabilities Board - Membership.

The Board consists of the following members:

- (1) the Secretary of Disabilities;
- (2) the Secretary of Aging, or the Secretary's designee;
- (3) the Secretary of Business and Economic Development, or the Secretary's designee;
- (4) the Secretary of Budget and Management, or the Secretary's designee;
- (5) the Secretary of Health and Mental Hygiene, or the Secretary's designee;
- (6) the Secretary of Housing and Community Development, or the Secretary's designee;

- (7) the Secretary of Human Resources, or the Secretary's designee;
- (8) the Secretary of Labor, Licensing, and Regulation, or the Secretary's designee;
- (9) the Secretary of Planning, or the Secretary's designee;
- (10) the State Superintendent of Schools, or the Superintendent's designee;
- (11) the Secretary of Transportation, or the Secretary's designee;
- (12) the Executive Director of the Governor's Office for Children, or the Executive Director's designee;
- (13) the Director of the Governor's Office of the Deaf and Hard of Hearing, or the Director's designee; and
- (14) representatives from any other unit of State government that the Governor designates.

§ 7-129. Interagency Disabilities Board - Chair.

- (a) *Secretary.*- The Secretary is the chair of the Board.
- (b) *Work of Board.*- The chair shall direct the work of the Board.
- (c) *Subcommittees of Board.*- The chair may establish subcommittees of the Board to carry out the duties established under this part.

§ 7-130. Interagency Disabilities Board - Staff.

The Department shall provide staff to the Board as necessary.

§ 7-131. Interagency Disabilities Board - Duties.

The Board shall:

- (1) provide ongoing examination of the structure and organization of the State's system of services and support to individuals with disabilities to ensure equal access to support services and resources by individuals with disabilities;
- (2) facilitate the development of performance objectives that will result in a comprehensive, effective, efficient, and integrated service delivery system for individuals with disabilities;
- (3) develop an interagency funding approach to maximize efficiencies and streamline access to services and support for individuals with disabilities;

(4) formulate policies on legislative issues and, under the direction of the Governor, communicate the policies to the General Assembly; and

(5) develop the State Disabilities Plan.

§ 7-132. State Disabilities Plan.

(a) *Coordination of support services.*- The State Disabilities Plan shall provide for the coordination of support services that:

(1) ensure compliance with the federal Americans with Disabilities Act and other relevant federal and State provisions intended to protect the civil rights of individuals with disabilities;

(2) are necessary for individuals with disabilities to achieve maximum participation in the mainstream of the community in the most integrated setting possible; and

(3) address, on a statewide basis, the improvement of:

(i) the capacity of communities to support individuals with disabilities with personal attendant care and other long-term care options that are self-directed;

(ii) the availability of accessible, integrated, and affordable housing options;

(iii) reliable transportation options;

(iv) employment and training options, including self-employment and noncongregant competitive opportunities available in an integrated environment in which there are individuals with and without disabilities;

(v) somatic and mental health options;

(vi) accessible and universally designed technology;

(vii) support services for children, youth, and their families to enable them to achieve successful learning; and

(viii) family support services, including respite care.

(b) *Assessment of support services for individuals with disabilities.*- The State Disabilities Plan shall assess the provision of and resources for support services for individuals with disabilities.

HUMAN SERVICES
TITLE 7. INDIVIDUALS WITH DISABILITIES
SUBTITLE 4. ATTENDANT CARE PROGRAM

§ 7-401. Definitions.

- (a) *In general.*- In this subtitle the following words have the meanings indicated.
- (b) *Attendant care services.*- "Attendant care services" means any of the following services for an eligible individual, which are certified as necessary by an attending physician or by a registered nurse:
- (1) dressing;
 - (2) preparing food and assisting with eating;
 - (3) bathing and personal hygiene;
 - (4) assisting with routine bodily functions, including bowel and urinary care;
 - (5) moving into, out of, or turning in bed;
 - (6) laundering and other clothing care; and
 - (7) cleaning house and performing other services of daily care, including shopping and transportation, that the Department and the eligible individual request.
- (c) *Department.*- "Department" means the Department of Disabilities.
- (d) *Eligible individual.*- "Eligible individual" means an individual who:
- (1) is at least 18 years old and under the age of 65 years; and
 - (2) has a severe chronic or permanent physical disability that precludes or significantly impairs the individual's independent performance of essential activities of daily living, self-care, or mobility.
- (e) *Financial assistance.*- "Financial assistance" means a payment the Department makes to an eligible individual for attendant care services.
- (f) *Program.*- "Program" means the Attendant Care Program.
- (g) *Secretary.*- "Secretary" means the Secretary of Disabilities.

§ 7-402. Established; purpose; sliding payment scale.

- (a) *Established; purpose.*-

(1) There is an Attendant Care Program in the Department.

(2) The purpose of the Program is to provide financial assistance to eligible individuals for attendant care services.

(b) *Sliding payment scale.*- The Department shall provide financial assistance in accordance with a sliding payment scale that the Department establishes by regulation.

§ 7-403. Director; support services.

(a) *Director.*- The Secretary shall designate an individual from the Department to serve as director of the Program.

(b) *Support services.*- The Secretary shall provide appropriate support services to the Program as provided in the State budget.

§ 7-404. Participation in Program.

(a) *Recipients of financial assistance.*-

(1) The Department shall ensure that at any given time at least 50% of the eligible individuals receiving financial assistance under the Program are:

(i) gainfully employed;

(ii) actively seeking employment; or

(iii) attending an institution of postsecondary or higher education, as defined in § [10-101 of the Education Article.](#)

(2) The remainder of the eligible individuals receiving financial assistance under the Program shall be individuals who:

(i) reside in a nursing home or similar institution licensed to provide chronic or intermediate care and who will be deinstitutionalized as a result of the Program; or

(ii) are on an approved waiting list for a nursing home or similar institution licensed to provide chronic or intermediate care.

(b) *Duplication prohibited.*- Financial assistance provided under the Program may not duplicate any other State or federal assistance for attendant care services that an eligible individual receives.

(c) *Limitation on participation.*- The Department shall limit participation in the Program to the number of eligible individuals who can be served with the funds appropriated for the Program in the State budget.

(d) *Review of eligibility.*- Each year, the Department shall review the eligibility of each individual receiving financial assistance.

§ 7-405. Funding; administration.

(a) *Funding.*- The Program shall be funded as provided in the State budget.

(b) *Administration.*- The Department may:

(1) administer the Program directly; or

(2) enter into a contract with a private organization to administer and operate the Program.

§ 7-406. Administration of subtitle; regulations.

(a) *Administration of subtitle.*- The Department shall administer this subtitle.

(b) *Regulations.*- The Department shall adopt regulations for the operation of the Program.

HUMAN SERVICES
TITLE 7. INDIVIDUALS WITH DISABILITIES
SUBTITLE 6. ASSISTIVE TECHNOLOGY GUARANTEED LOAN PROGRAM

§ 7-601. Definitions.

(a) *In general.*- In this subtitle the following words have the meanings indicated.

(b) *Assistive technology.*-

(1) "Assistive technology" means any item, equipment, or device that is designed to enable an individual with a disability to become more independent or a more productive member of the community with an improved quality of life.

(2) "Assistive technology" includes wheelchairs, motorized scooters, Braille equipment, voice simulation systems, scanners, assistive listening devices, telecommunications devices for the deaf, augmentative communication systems, environmental control systems, computers and adaptive peripherals, building modifications for accessibility, motor vehicles, and vehicle modifications.

(c) *Board.*- "Board" means the Board of Directors of the Program.

(d) *Department.*- "Department" means the Department of Disabilities.

(e) *Fund.*- "Fund" means the Assistive Technology Guaranteed Loan Fund.

(f) *Program.*- "Program" means the Assistive Technology Guaranteed Loan Program.

(g) *Secretary.*- "Secretary" means the Secretary of Disabilities.

§ 7-602. Program established.

There is an Assistive Technology Guaranteed Loan Program in the Department.

§ 7-603. Purpose of Program.

The purpose of the Program is to provide assistance for the purchase of assistive technology.

§ 7-604. Board of Directors - Established.

There is a Board of Directors of the Program.

§ 7-605. Board of Directors - Membership.

(a) *Composition; appointment of members.*- The Board consists of:

(1) the Secretary of Budget and Management or the Secretary's designee;

(2) a representative from the Department of Health and Mental Hygiene, Developmental Disabilities Administration, appointed by the Secretary of Health and Mental Hygiene;

(3) a representative of the State Department of Education Division of Rehabilitation Services, appointed by the State Superintendent of Schools; and

(4) eight members of the public appointed by the Governor with the advice and consent of the Senate.

(b) *Qualifications of members appointed by Governor.*- Of the eight members of the public appointed by the Governor:

(1) four shall have significant experience in finance, accounting, investment management, or consumer lending; and

(2) four shall have disabilities or assist individuals with disabilities, at least one of whom shall be a member of the Maryland Commission on Disabilities.

(c) *Tenure; vacancies.*-

(1) The term of a member appointed by the Governor is 4 years.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(4) A member appointed by the Governor may not serve more than two terms.

§ 7-606. Board of Directors - Chair.

From among its members, the Board annually shall elect a chair.

§ 7-607. Board of Directors - Quorum; meetings; compensation; staff.

(a) *Quorum.*- Six members of the Board are a quorum.

(b) *Meetings.*- The Board shall meet at least quarterly or more often as necessary to carry out its duties efficiently.

(c) *Compensation and reimbursement for expenses.*- A member:

(1) may not receive compensation as a member of the Board; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations as provided in the State budget.

(d) *Financial benefit prohibited.*- Except as provided in subsection (c) of this section, a member may not financially benefit directly or indirectly from the activities of the Fund.

(e) *Staff.*- The Department shall provide staff to the Board.

§ 7-608. Board authorized to guarantee loans and provide interest subsidies.

Subject to §§ 7-609(a) and 7-610 of this subtitle, the Board may provide a guarantee of a loan or a subsidy of loan interest for a loan to an individual for the purchase of assistive technology.

§ 7-609. Applications; Board review of applications.

(a) *Applications.*- To apply for a guarantee of a loan or a subsidy of loan interest, an applicant shall submit to the Board an application on the form that the Secretary provides.

(b) *Board review of applications.*- The Board shall review the applications for guarantees of loans and subsidies of loan interest and approve or deny them based on information provided to or obtained by the Board.

§ 7-610. Requirements.

The Board may enter into an agreement with an applicant to guarantee a loan or provide a subsidy for loan interest to the applicant only if the applicant demonstrates:

(1) that the loan to be guaranteed or the subsidy of loan interest will be used to acquire assistive technology;

(2) the ability to repay the loan;

(3) creditworthiness; and

(4) the inability to qualify for a loan from a lending institution without a loan guarantee or a subsidy of loan interest.

§ 7-611. Amount and terms of loan guarantees and interest subsidies.

(a) *Determination of amount and terms.*- Except as provided in this subtitle, the Board and lender jointly shall determine the amount and terms of the guarantee of the loan or the subsidy of loan interest.

(b) *Maximum loan guarantee.*- The total aggregate amount of a loan guarantee may be up to 100% of the loan.

(c) *Aggregate loan guarantees not to exceed balance in Fund.*- The total aggregate amount of guarantees provided from the Fund may not at any time exceed the balance available in the Fund.

§ 7-612. Violations of loan provisions.

If a borrower violates any provision of a loan guarantee or subsidy agreement or ceases to meet the requirements of this subtitle, on reasonable notice to the borrower, the Board may:

(1) withhold from the borrower further loan guarantees or subsidies until the borrower complies with the agreement or requirements; and

(2) exercise any other remedy that the loan guarantee or subsidy agreement provides.

§ 7-613. Assistive Technology Guaranteed Loan Fund.

(a) *Established.*- There is an Assistive Technology Guaranteed Loan Fund in the Department.

(b) *Purpose.*- The purpose of the Fund is to provide guarantees of loans and subsidies of loan interest for the purchase of assistive technology.

(c) *Administration.*-

(1) The Board shall administer the Fund.

(2) The Treasurer shall hold the Fund separately and the Comptroller shall account for the Fund.

(d) *Status.*- The Fund is a continuing, nonlapsing fund that is not subject to § [7-302 of the State Finance and Procurement Article](#).

(e) *Investment earnings.*- Any investment earnings of the Fund shall be paid into the Fund.

(f) *Reversion to General Fund on resolution of Board.*- If, at any time, the balance of the Fund exceeds the amount that the Board considers necessary to meet its obligations, on resolution of the Board, the excess shall revert to the General Fund.

§ 7-614. Assistive Technology Guaranteed Loan Fund - Composition; use of Fund.

(a) *Composition.*- The Fund consists of:

(1) premiums and fees charged for the guarantees of loans or the subsidies of loan interest;

(2) income from investment earnings;

(3) proceeds from the sale, disposition, lease, or rental of collateral relating to the guarantees of loans or subsidies of loan interest;

(4) money appropriated by the State to the Fund; and

(5) any other money made available to the Fund.

(b) *Use of Fund.*- The Fund shall be used to pay:

(1) guaranty payments required by loan defaults;

(2) subsidies of loan interest;

(3) expenses for administrative, legal, actuarial, technical assistance, and other services;
and

(4) any other expenses and disbursements that the Board authorizes for administering the Fund and financing the guarantees of loans and the subsidies of loan interest for the purchase of assistive technology.

§ 7-615. Assistive Technology Guaranteed Loan Fund - Annual report by Treasurer.

Each year, the Treasurer shall report to the Board and the Secretary on:

(1) the status of the money invested under this subtitle;

(2) the market value of the assets in the Fund as of the date of the report; and

(3) the interest received from investments during the period that the report covers.

7-616. Annual report by Board.

On or before January 1 of each year, the Board, through the Secretary, shall report to the Governor and, subject to § [2-1246 of the State Government Article](#), to the General Assembly, on the number, amount, and use of loans and subsidies for which the Program has provided guarantees of loans and subsidies of loan interest under this subtitle.